

AMENDED IN ASSEMBLY MAY 31, 2016

AMENDED IN ASSEMBLY APRIL 20, 2016

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 2629**

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**Introduced by Assembly Member Roger Hernández**

February 19, 2016

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An act to amend Section 69951 of, and to amend, repeal, and add Section 69950 of, the Government Code, relating to court reporters.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2629, as amended, Roger Hernández. Court reporters.

Existing law provides ~~that~~ *that, except as specified*, the fee for original transcripts prepared by an official court reporter or by a court reporter pro tempore is \$0.85 for each 100 words, and for each copy purchased at the same time, \$0.15 for each 100 words. Existing law provides ~~that~~ *that, except as specified*, the fee for a first copy of a transcript by a person who does not simultaneously purchase the original transcript is \$0.20 for each 100 words, and for each additional copy purchased at the same time, \$0.15 for each 100 words. Existing law authorizes a court reporter, in civil cases, to charge an additional 50% for special daily copy service.

This bill would increase the fee charged for original transcripts and copies incrementally commencing January 1, 2017. The bill would provide that on and after January 1, 2021, the fee for an original transcript is ~~\$1.24~~ *\$1.13* for each 100 words, and for each copy purchased at the same time, \$0.22 for each 100 words. The bill would provide that on and after January 1, 2021, the fee for a first copy of a

transcript that is not simultaneously purchased with the original transcript is \$0.29 for each 100 words, and for each additional copy purchased at the same time, \$0.22 for each 100 words. The bill would also provide that the fee for transcription is an additional 50% for special daily copy service.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Official court reporters and court reporters pro tempore  
4 employed by the courts are currently paid under a dual  
5 compensation structure in which the base salary of the court  
6 reporter is supplemented by income from preparing required  
7 transcripts and providing other required transcription services.

8 (b) The dual compensation structure protects the state from  
9 bearing the full cost of transcript preparation and other transcription  
10 services and avoids the resulting consequences of overtime liability  
11 related to these services.

12 (c) The fees for original transcripts prepared by official court  
13 reporters and court reporters pro tempore have not been adjusted  
14 in 26 years, and fees for copies purchased at the same time as the  
15 original transcript have only increased once in 103 years.

16 (d) In order to ensure full and fair compensation of official court  
17 reporters and court reporters pro tempore employed by the court,  
18 and in order to attract and retain official court reporters and court  
19 reporters pro tempore employed by the courts that have sufficient  
20 skills and competence to serve the needs of the justice system, it  
21 is imperative that the system of dual compensation provide  
22 sufficient payment for transcription services.

23 (e) Therefore, it is necessary to revise the fees for transcripts  
24 prepared by official court reporters and court reporters pro tempore.

25 SEC. 2. Section 69950 of the Government Code is amended  
26 to read:

27 69950. (a) From January 1, 2017, to December 31, 2018,  
28 inclusive, the fee for transcription for the original printed copy is  
29 ~~ninety-eight cents (\$0.98)~~ *ninety-three cents (\$0.93)* for each 100  
30 words, and for each copy purchased at the same time by the court,

1 party, or other person purchasing the original, seventeen cents  
2 (\$0.17) for each 100 words.

3 (b) From January 1, 2017, to December 31, 2018, inclusive, the  
4 fee for a first copy to any court, party, or other person who does  
5 not simultaneously purchase the original shall be twenty-three  
6 cents (\$0.23) for each 100 words, and for each additional copy,  
7 purchased at the same time, seventeen cents (\$0.17) for each 100  
8 words.

9 (c) *Notwithstanding subdivisions (a) and (b), if a trial court had*  
10 *established transcription fees that were in effect on January 1,*  
11 *2012, based on an estimate or assumption as to the number of*  
12 *words or folios on a typical transcript page, those transcription*  
13 *fees shall be the transcription fees for proceedings in those trial*  
14 *courts, and the policy or practice for determining transcription*  
15 *fees in those trial courts shall not be unilaterally changed.*

16 (e)

17 (d) This section shall remain in effect only until January 1, 2019,  
18 and as of that date is repealed, unless a later enacted statute, that  
19 is enacted before January 1, 2019, deletes or extends that date.

20 SEC. 3. Section 69950 is added to the Government Code, to  
21 read:

22 69950. (a) From January 1, 2019, to December 31, 2020,  
23 inclusive, the fee for transcription for the original printed copy is  
24 ~~one dollar and thirteen cents (\$1.13)~~ *one dollar and three cents*  
25 *(\$1.03)* for each 100 words, and for each copy purchased at the  
26 same time by the court, party, or other person purchasing the  
27 original, twenty cents (\$0.20) for each 100 words.

28 (b) From January 1, 2019, to December 31, 2020, inclusive,  
29 the fee for a first copy to any court, party, or other person who  
30 does not simultaneously purchase the original shall be twenty-six  
31 cents (\$0.26) for each 100 words, and for each additional copy,  
32 purchased at the same time, twenty cents (\$0.20) for each 100  
33 words.

34 (c) *Notwithstanding subdivisions (a) and (b), if a trial court had*  
35 *established transcription fees that were in effect on January 1,*  
36 *2012, based on an estimate or assumption as to the number of*  
37 *words or folios on a typical transcript page, those transcription*  
38 *fees shall be the transcription fees for proceedings in those trial*  
39 *courts, and the policy or practice for determining transcription*  
40 *fees in those trial courts shall not be unilaterally changed.*

1     ~~(e)~~

2     ~~(d)~~ This section shall become operative on January 1, 2019.

3     ~~(d)~~

4     ~~(e)~~ This section shall remain in effect only until January 1, 2021,  
5 and as of that date is repealed, unless a later enacted statute, that  
6 is enacted before January 1, 2021, deletes or extends that date.

7     SEC. 4. Section 69950 is added to the Government Code, to  
8 read:

9     69950. (a) On and after January 1, 2021, the fee for  
10 transcription for the original printed copy is ~~one dollar twenty-four~~  
11 ~~cents (\$1.24)~~ *one dollar thirteen cents (\$1.13)* for each 100 words,  
12 and for each copy purchased at the same time by the court, party,  
13 or other person purchasing the original, twenty-two cents (\$0.22)  
14 for each 100 words.

15     (b) On and after January 1, 2021, the fee for a first copy to any  
16 court, party, or other person who does not simultaneously purchase  
17 the original shall be twenty-nine cents (\$0.29) for each 100 words,  
18 and for each additional copy, purchased at the same time,  
19 twenty-two cents (\$0.22) for each 100 words.

20     ~~(c)~~ *Notwithstanding subdivisions (a) and (b), if a trial court had*  
21 *established transcription fees that were in effect on January 1,*  
22 *2012, based on an estimate or assumption as to the number of*  
23 *words or folios on a typical transcript page, those transcription*  
24 *fees shall be the transcription fees for proceedings in those trial*  
25 *courts, and the policy or practice for determining transcription*  
26 *fees in those trial courts shall not be unilaterally changed.*

27     ~~(e)~~

28     ~~(d)~~ This section shall become operative on January 1, 2021.

29     SEC. 5. Section 69951 of the Government Code is amended  
30 to read:

31     69951. The fee for transcription is an additional 50 percent for  
32 special daily copy service.